

### **REMARKS**

Claims 1-9, 11-12, and 14-25 are pending in the current application. Of those claims, claims 1, 16, 17, 18 and 19 are independent claims. Claims 1-9, 11-12, and 14-19 are amended by this Response. Claims 10 and 13 are canceled by this Response. No new claims are added by this Response.

### **Specification Objections**

The Examiner objects to the disclosure because of alleged informalities at paragraphs [0057], [0002], and [0012]. Applicant respectfully submits that the paragraph [0057] is amended as suggested by the Examiner. In regards to paragraphs [0002] and [0012], the Examiner asserts “Blu-ray” is believed to be “Blue-Ray.” Infact, “Blu-ray” is the correct spelling and is associated with an optical disc format developed by the Blu-ray Disc Association (BDA). Accordingly, Applicant respectfully requests the objections to the specification be withdrawn.

### **Claim Rejections – 35 U.S.C. § 101**

Claims 1-15 stand rejected under 35 U.S.C. § 101 because the Examiner asserts claim 1 is directed to nonfunctional descriptive material. Applicant respectfully traverses this rejection.

The Manual of Patent Examining Procedure (MPEP) provides guidance on the difference between “nonfunctional descriptive material” and “functional descriptive material”. In particular, MPEP § 2106.01 states the following:

In this context, “functional descriptive material” consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of “data structure” is “a physical or logical relationship among data elements, designed to support specific data manipulation functions.” The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) “Nonfunctional descriptive material” includes but is not limited music, literary works and a compilation or mere arrangement of data.

In this regard, MPEP §2106.01(I) further states regarding functional descriptive material that “a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure’s functionality to be realized, and is thus statutory.”

Applicant respectfully submits that a “computer readable medium having a data structure for managing reproduction of at least multiple reproduction path video data” as recited in independent claim 1 stores functional descriptive material and represents patentable subject matter under 35 U.S.C. § 101. The computer readable medium recited in claim 1 includes a data structure having a navigation area, which provides management information. As recited in claim 1, the management information includes "management information for managing reproduction of the multiple reproduction path video data recorded on the recording medium, said at least one navigation area having angle change information corresponding to each of a plurality of video data blocks." Accordingly, claim 1 is clearly directed towards patentable statutory subject matter.

In light of the above, Applicant respectfully requests that the rejection of independent claim 1, and claims depending therefrom, under 35 U.S.C. § 101 be withdrawn.

#### **Claim Rejections – 35 U.S.C. § 102**

Claims 1, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17, 18 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kikuchi et. Al (US 5,870,523, hereinafter Kikuchi). Applicant respectfully traverses this rejection.

Applicant has amended claim 1 to include features similar to those of now canceled claims 10 and 13. In particular, claim 1 has been amended to recite *inter alia* “said angle change information corresponding to each of a plurality of video data blocks indicates whether an angle

change is permitted and not permitted, and the angle change information indicates where an angle change is permitted and not permitted in the corresponding video data blocks.”

The Examiner asserts that Kikuchi at FIG. 3 and col. 20, lines 35-65 discloses the features of claims 10 and 13. Kikuchi at FIG. 3 and col. 20, lines 35-65 discloses “[w]hen the user is viewing angle cell #j (AGL\_C#j) and changes to angle cell #1 the instant the batter made a hit, that is, changes to a scene from the outfield the instant the batter hit the ball, he or she can switch to consecutive scenes where the ball is flying closer to the outfield after the batter hit the ball.” Therefore, it is clear that Kikuchi merely discloses that when the user changes angle cells, the scene changes to the next consecutive scene. In particular, FIG. 34 clearly shows the angle jumps from a location in cell #2 of the AGL\_C\_B#i to cell #3 of the AGL\_C\_B#1. Kikuchi does not include any information indicating whether an angle change is permitted or not permitted in cell #2 of the AGL\_C\_B#i or whether an angle change is permitted or not permitted at the particular location in cell #2 of the AGL\_C\_B#i.

As such, Applicant respectfully submits that Kikuchi fails to disclose “said angle change information corresponding to each of a plurality of video data blocks indicates whether an angle change is permitted and not permitted, and the angle change information indicates where an angle change is permitted and not permitted in the corresponding video data blocks” as required by claim 1.

Further, Applicant submits that claims 4-5, 7-8, 11, and 14, which depend from claim 1 are patentable for at least the same reasons discussed above in regards to claim 1 as well as on their own merits. Applicant also respectfully submits that claims 16-19 are amended to include features similar to those of claims 10 and 13 discussed above in regards to claim 1, and therefore, claims 16-19 are patentable for at least somewhat similar reasons as claim 1.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) be withdrawn.

**Claim Rejections – 35 U.S.C. § 103**

Claims 2, 3, 6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi as applied in claims 1, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17, 18 and 19 above, and further in view of Tsumagari et al. (US 6,556,774 B2, hereinafter Tsumagari). Claims 12 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kikuchi as applied to claims 1, 4, 5, 7, 8, 10, 11, 13, 14, 16, 17, 18 and 19 above, and further in view of Sato et al. (US 5,884,004, hereinafter Sato).

Applicant respectfully submits that even assuming for the sake of argument that the secondary references Tsumagari and Sato are properly combinable with Kikuchi (which Applicant does not admit), Tsumagari and Sato fail to cure the deficiencies of Kikuchi discussed above in regards to claim 1. Further, Applicant respectfully submits that claims 2-3, 6, 9, 12, and 15, which depend from claim 1, are patentable for at least the same reasons discussed above in regards to claim 1 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

**New Claims**

Applicant respectfully submits that new claims 20-25, which depend from one of claims 18 and 19, are patentable for at least the same reasons as claims 18 and 19 as well as on their own merits.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1050.00 extension fee herewith.

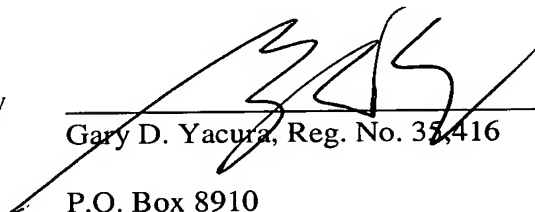
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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